

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

ADAM S. LEVY on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

THOMAS GUTIERREZ, RICHARD J. GAYNOR, RAJA  
BAL, J. MICHAL CONAWAY, KATHLEEN A. COTE,  
ERNEST L. GODSHALK, MATTHEW E.  
MASSENGILL, MARY PETROVICH, ROBERT E.  
SWITZ, NOEL G. WATSON, THOMAS WROE, JR.,  
MORGAN STANLEY & CO. LLC, GOLDMAN,  
SACHS & CO., CANACCORD GENUITY INC., AND  
APPLE, INC.

Defendants.

No. 1:14-cv-00443-JL

ECF CASE

**LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES  
AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 23(e) and 23(h) and this Court's Order Preliminarily Approving Settlements and Providing for Notice dated February 13, 2018 (ECF No. 179), and upon (i) the Declaration of John C. Browne in Support of: (I) Lead Plaintiff's Motion for Final Approval of Individual Defendant and Underwriter Defendant Settlements and Plan of Allocation; and (II) Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; (ii) the Memorandum of Law in Support of Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; and (iii) all other papers and proceedings herein, Lead Counsel will and does hereby move this Court, before the Honorable Joseph N. Laplante, on June 28, 2018 at 2:00 p.m., at the United States District Court for the District of New Hampshire,

Courtroom 2, 55 Pleasant Street, Concord, NH 03301-3941, or at such other location and time as set by the Court, for entry of an Order awarding attorneys' fees and reimbursement of litigation expenses. A proposed Order granting the requested relief will be submitted with Lead Counsel's reply papers after the June 7, 2018 deadline for objecting to the motion has passed.

Dated: May 24, 2018

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER &  
GROSSMANN LLP**

/s/ John C. Browne

John C. Browne (Admitted *Pro Hac Vice*)

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*Lead Counsel for Plaintiffs*

**ORR & RENO, P.A.**

/s/ Jennifer A. Eber

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*Liaison Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24th day of May, 2018, the above Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses was electronically served through ECF on all registered attorneys in the case under Civil Action No. 14-cv-00443-JL.

/s/ Jennifer A. Eber

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